

GRAHAM & HARSIP, P.C.
ATTORNEYS AT LAW
STRAWBERRY HILL BUILDING
289 GREAT ROAD, SUITE 101
ACTON, MA 01720

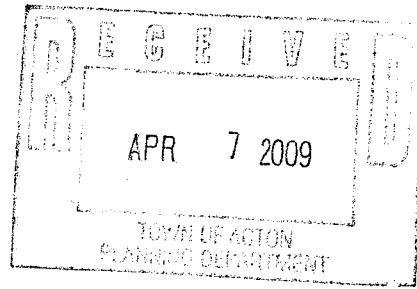
STEVEN R. GRAHAM
BARRY S. HARSIP**

Tel: 978-264-0480
Fax: 978-264-4990

sgraham@graham-harsip.com
barryharsip@graham-harsip.com

SARA H. E. STUART

sstuart@graham-harsip.com



April 1, 2009

Planning Board
Town of Acton
472 Main Street
Acton, MA 01720

Re: Special Permit for Reconstruction of Non-Conforming
Multi-Family Dwelling, Decision 01-06, as Extended
by Decision dated January 12, 2006, and as Further
Extended by Decision dated November 27, 2007

Dear Board Members:

The undersigned, on behalf of the owner of the property which is the subject of the above-noted Decision, GPT-Acton, LLC (the "Applicant"), does hereby request a further extension of the Special Permit for an additional two-year period until January 12, 2012.

As reasons therefore, the Applicant restates those matters set forth in my request for a second extension to the Decision, dated November 7, 2007, namely Items 1 - 3 below:

1. The extension, specifically Section 2.8, provides "With this extension the Building Commission shall be authorized to issue a building permit for the subject property, provided there is also final approval from the Board of Health and DEP for the sewerage disposal." A final approval for the sewerage disposal has not yet been secured from the Acton Board of Health and DEP.
2. Construction of the sewerage treatment plan which will serve the premises and the four other buildings owned by the Applicant was not commenced until May 9, 2007.

GRAHAM & HARSIP, P.C.

Planning Board
April 1, 2009
Page Two

Completion is expected in February, 2008, with the operation of the waste water treatment plant commencing on or about March 21, 2008.

3. Commencement of construction of the sewerage treatment plant was delayed until after the Acton Town Meeting on April 10, 2007 wherein Town Meeting approved the relocation of a storm water easement which delayed the construction of a sewerage treatment plant.
4. Since the time of my earlier request, final approval for the sewerage disposal system has been secured, construction of the waste water treatment plant has been completed, and the exchange of easements with the Town has been accomplished.
5. Unfortunately, the economic climate for the financing and construction of an apartment building with rental rates at the current market level makes it prohibitive for the work on the contemplated building to be done at this time. It is the Applicant's belief that during the two-year extension period from January 10, 2010 to January 10, 2012, circumstances will change to allow the construction of the building.

For the foregoing reasons, the Applicant believes that "good cause" exists for the extension and requests that this matter be placed on the agenda for the Planning Board's consideration and that an extension of the Special Permit be granted as requested hereinabove.

Very truly yours,

GRAHAM & HARSIP, P.C.



Steven R. Graham

SRG/jm
cc: Client